

**JOEL GONZALEZ LOPEZ,
Individually And As Personal
Representative of the Estate of Jose
Alberto Gonzalez Rodriguez,
DECEASED and PATRICIA
GUADALUPE RODRIGUEZ,
Individually**

VS.

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i) FOR
LARRY SPENCE IN HIS INDIVIDUAL AND OFFICIAL CAPACITY**

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the Plaintiffs, Joel Gonzalez Lopez, individually and as personal representative of the estate of Jose Alberto Gonzalez Rodriguez, deceased, and Patricia Guadalupe Rodriguez, individually, by and through undersigned counsel, hereby give notice that the above captioned action is voluntarily dismissed, without prejudice, against the Defendant Larry Spence in his individual and official capacity. The allegations brought against Larry Spence in his official capacity duplicate claims against Willacy County, Texas. *Castro Romero v. Becken*, 256 F.3d 349 (5th Cir. 2001). This notice shall not be construed as a voluntary dismissal of Defendant Willacy County, Texas from the above captioned action under a theory of municipal liability.

Respectfully Submitted,

/s/ Ed Stapleton

Ed Stapleton
Attorney in Charge
Texas State Bar Number: 19058400
So. District No. 1501
2401 Wildflower Dr. Ste. C
Brownsville, Texas 78526
Telephone: (956) 504-0882
Fax: (956) 504-0814

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the Plaintiffs' Notice of Voluntary Dismissal Pursuant to F.R.C.P. 41(a)(1)(A)(i) For Larry Spence In His Individual and Official Capacity was delivered by electronic mail upon filing.

/s/ Ed Stapleton

Ed Stapleton